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SPOKANE, WA 99201			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary	Application No.	Applicant(s)
	10/693,718	KARATAL ET AL.
	Examiner	Art Unit
	Thuy Dao	2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 March 2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14, 16-17, 20-27, 29-42 is/are pending in the application.
 4a) Of the above claim(s) 15, 18, 19 and 28 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-14, 16-17, 20-27, 29-42 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 24 October 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on March 29, 2007.
2. Claims 1-42 have been examined.

Response to Amendments

3. Per Applicants' request, claims 1-6, 9, 12, 14, 22, 29, 35-36, 38, and 41 have been amended and claims 15, 18-19, and 28 have been canceled.
4. The objection to the specification is withdrawn in view of Applicants' amendments.
5. The 35 USC §112, second paragraph rejection over claims 15 and 18-19 is withdrawn in view of Applicants' amendments.
6. The 35 USC §101 rejection over claims 1-5 and 12-42 is withdrawn in view of Applicants' amendments. However, the 35 USC §101 rejection over claims 6-11 is maintained as addressed below.

Response to Arguments

7. The Applicants are thanked for a thorough reply. Applicants' arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections – 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. As set forth in the previous Office Action mailed January 24, 2007 (page 4), claims 6-11 are rejected because the claimed invention is directed to non-statutory subject matter: "*A system implemented by way of one or more computers, comprising: means for exposing a first set of functions ...; means for exposing a second set of functions ...; and means for exposing a third set of functions ...*".

They amount to Functional Descriptive Material: "Data Structures" representing descriptive material per se or "Computer Programs" representing computer listings per se.

Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035. Accordingly, it is important to distinguish claims that define descriptive material per se from claims that define statutory inventions. See MPEP 2106.

Under the principles of compact prosecution, claims 6-11 have been examined as the Examiner anticipates the claims will be amended to obviate these 35 USC § 101 issues. For example (proposal only), based on claim 1, lines 1-2 of claim 6 is considered to read as - A system implemented by way of one or more computers, embodied on one or more computer-readable storage media, comprising:- -.

Claim Rejections – 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 29-30 and 32-35 are rejected under 35 U.S.C. 102(b) as being anticipated by "Windows XP – Reviewers Guide", published by Microsoft Corporation in August 2001 (hereinafter "WindowsXP Guide").

Claim 29:

WindowsXP Guide discloses a *method implemented by way of one or more computers, comprising:*

calling one or more first functions to use controls of a user interface (e.g., page 19, File and Settings Transfer Wizard; page 29, displaying preview images); and

calling one or more second functions to extend functionality of the user interface (e.g., page 14, calculating/sorting/managing Files and Folders names, types, and sizes; pp. 11-12, personalizing Start Menu),

including one or more second functions to allow identification of application-defined thumbnails (e.g., page 12, Start Menu and application-defined thumbnails).

Claim 30:

The rejection of claim 29 is incorporated. WindowsXP Guide also discloses *calling one or more third functions to extend functionality of a desktop of the user interface* (e.g., page 13, Desktop Appearance and Themes; page 19, creating Desktop shortcuts).

Claim 32:

The rejection of claim 29 is incorporated. WindowsXP Guide also discloses *calling one or more third functions to use dialogs and wizards of the user interface* (e.g., page 21, Hardware Wizards; page 22, Network Setup Wizard).

Claim 33:

The rejection of claim 32 is incorporated. WindowsXP Guide also discloses *the functions to use dialogs and wizards of the user interface include*:

one or more functions to use a dialog to allow files and folders to be opened and saved (e.g., pp. 9-10, Enhanced File Management);

one or more functions to use a wizard to allow optical discs to be written to (e.g., page 35 Making Your Own CDs); and

one or more functions to use another wizard to facilitate sending images by electronic mail (e.g., page 42, MSN e-mail and instant message services).

Claim 34:

The rejection of claim 29 is incorporated. WindowsXP Guide also discloses *the functions to use controls of the user interface include*:

one or more functions that encapsulate a storage user experience; one or more functions that allow an item to be displayed in an application-defined manner (e.g., pp. 9-10, Enhanced File Management; p. 64 Sharing Files and Folders; page 12, application-defined thumbnails);

one or more functions that allow items to be added to a list; and one or more functions that allow preview images of items to be displayed (e.g., pp. 11-12, personalizing Start Menu; page 29, displaying preview images).

Claim 35:

The rejection of claim 29 is incorporated. WindowsXP Guide also discloses *the functions to extend functionality of the user interface include one or more functions to allow additions to context menus; and one or more functions to allow calculations to be*

performed when displaying information regarding one or more files or folders (e.g., pp. 11-12 personalizing Welcome screen; page 14, managing Files and Folders).

Claim Rejections – 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-5 and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over WindowsXP Guide in view of "Sideshow: Providing Peripheral Awareness of Important Information" to Cadiz (art made of record, hereinafter "Cadiz"), and further in view of US Patent No. 5,933,599 to Nolan (art made of record, hereinafter "Nolan").

Claim 1:

WindowsXP Guide discloses a programming interface embodied on one or more computer-readable storage media, comprising:

a first group of services related to re-usable user interface controls, the first group of services including a control that allows preview images of items to be displayed (e.g., page 29, section Pictures: the windows of life, which displays preview images);

a second group of services related to user interface dialogs and user interface wizards, the second group of services including a first dialog to allow files and folders to be opened and saved (e.g., pp. 9-10, section Enhanced File Management; page 64, section Sharing Files and Folders);

a third group of services related to extending the user interface functionality, the third group of services including functionality to allow identification of application-defined thumbnails (e.g., page 12, Start Menu with application-defined thumbnails); and

a fourth group of services related to extending functionality of a desktop of the user interface (e.g., page 13, setting Desktop Appearance and Themes; page 19, creating Desktop shortcuts; page 12, personalizing Desktop and Welcome screen),

wherein the first and second and third and fourth groups of services are defined of the programming interface (pp. 1-3, Windows XP Overview).

WindowsXP Guide does not explicitly disclose *the fourth group of services including functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *the fourth group of services including functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *groups of services are defined by respective namespaces.*

However, in an analogous art, Nolan further discloses *groups of services are defined by respective namespaces* (e.g., col.6: 47 – col.7: 48).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Nolan's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so to organize each service namespace corresponding to a service group and containing associated hierarchical components for its service group as suggested by Nolan (e.g., col.6: 47- col.7: 19)

Claim 2:

The rejection of claim 1 is incorporated. WindowsXP Guide also discloses *the first group of services includes: a first control that encapsulates a storage user experience; a second control that allows an item to be displayed in an application-defined manner (e.g., page 9-10, 12, and 14); a third control that allows items to be added to a sidebar of the desktop; and a fourth control that allows items to be added to a list (e.g., pp. 11-12).*

Claim 3:

The rejection of claim 1 is incorporated. WindowsXP Guide also discloses *the second group of services includes:*

a first wizard to allow optical discs to be written to (e.g., page 35, section Making Your Own CDs); and

a second wizard to facilitate sending images by electronic mail (e.g., page 42, MSN e-mail and instant message services).

Claim 4:

The rejection of claim 1 is incorporated. WindowsXP Guide also discloses *the third group of services includes:*

a first functionality to allow additions to context menus (e.g., pp. 11-12 personalizing Start Menu and Welcome screen); and

a second functionality to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14, sorting/calculating/managing Files and Folders names, types, and sizes).

Claim 5:

The rejection of claim 1 is incorporated. WindowsXP Guide also discloses *the fourth group of services includes functionality to allow application-defined notifications to be displayed on the desktop (e.g., page 12, Start Menu and application-defined thumbnails).*

Claim 22:

WindowsXP Guide discloses a *method implemented by way of one or more computers, comprising:*

functions that enable extending functionality of a user interface including functionality to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14, sorting/calculating/displaying Files and Folders names, types, and sizes; pp. 9-10 section Enhanced File Management; page 64, Sharing Files and Folders); and

functions that enable extending functionality of a desktop of the user interface including:

a first functionality to allow a bar to be displayed on the desktop (e.g., page 9, section Taskbar); and

a second functionality to allow application-defined notifications to be displayed on the desktop (e.g., page 19, creating Desktop shortcuts; page 13, setting Desktop Appearance and Themes).

WindowsXP Guide does not explicitly disclose *functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *namespaces associated with functions that enable functionalities.*

However, in an analogous art, Nolan further discloses *namespaces associated with functions that enable functionalities* (e.g., col.6: 47 – col.7: 48).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Nolan's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so to organize each service namespace corresponding to a service group and containing associated hierarchical components for its service group as suggested by Nolan (e.g., col.6: 47- col.7: 19).

Claim 23:

The rejection of claim 22 is incorporated. WindowsXP Guide also discloses *creating a third namespace with functions that enable re-usable user interface controls* (e.g., page 19, controlling File and Settings Transfer; page 21, Hardware settings; page 22, Network Setup settings).

Claim 24:

The rejection of claim 23 is incorporated. WindowsXP Guide also discloses *the third namespace includes:*

a first control that encapsulates a storage user experience (e.g., pp 9-10 enhancing File Management); *a second control that allows an item to be displayed in an application-defined manner* (e.g., page 12, thumbnails associated with application);

a third control that allows items to be added to a sidebar of the desktop; a fourth control that allows items to be added to a list (e.g., pp. 11-12, personalizing Start Menu); *and a fifth control that allows preview images of items to be displayed* (e.g., page 29, displaying preview images).

Claim 25:

The rejection of claim 22 is incorporated. WindowsXP Guide also discloses *creating a third namespace with functions that enable user interface dialogs and user interface wizards* (e.g., page 19 and 21-22).

Claim 26:

The rejection of claim 25 is incorporated. WindowsXP Guide also discloses *the third namespace includes:*

a first dialog to allow files and folders to be opened and saved (e.g., pp. 9-10 File Management);

a first wizard to allow optical discs to be written to (e.g., page 35, creating CDs); and

a second wizard to facilitate sending images by electronic mail (e.g., page 42, MSN e-mail service).

Claim 27:

The rejection of claim 22 is incorporated. WindowsXP Guide also discloses *the first namespace includes:*

a first functionality to allow additions to context menus (e.g., pp. 11-12);

a second functionality to allow identification of application-defined thumbnails (e.g., page 12); and

a third functionality to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14).

14. Claims 6-11, 31, and 36-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over WindowsXP Guide in view of Cadiz.

Claim 6:

WindowsXP Guide discloses *a system implemented by way of one or more computers, embodied on one or more computer-readable storage media, comprising:*

means for exposing a first set of functions that enable re-usable controls of a user interface (e.g., page 13, setting Appearance and Themes; page 19, creating shortcuts; page 12; personalizing Welcome screen);

means for exposing a second set of functions that enable re-usable dialogs of the user interface and re-usable wizards of the user interface (e.g., page 19,

File and Settings Transfer Wizard; page 21, Hardware Wizard; page 22, Network Setup Wizard); and

means for exposing a third set of functions that enable extending functionality of a desktop of the user interface (e.g., pp. 11-12; page 14),

wherein the means for exposing the first set of functions including means for exposing one or more functions that allow items to be added to a bar of the desktop (e.g., pp. 9-10 section Taskbar).

WindowsXP Guide does not explicitly disclose *one or more functions that allow items to be added to a sidebar of the desktop.*

However, in an analogous art, Cadiz further discloses *one or more functions that allow items to be added to a sidebar of the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Claim 7:

The rejection of claim 6 is incorporated. WindowsXP Guide also discloses *means for exposing a fourth set of functions that enable extending functionality of the user interface (e.g., pp. 11-12; page 14).*

Claim 8:

The rejection of claim 7 is incorporated. WindowsXP Guide also discloses *the means for exposing the fourth set of functions comprises:*

means for exposing one or more functions to allow additions to context menus (e.g., page 13, 19, and 12);

means for exposing one or more functions to allow identification of application-defined thumbnails (e.g., page 12); and

means for exposing one or more functions to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14).

Claim 9:

The rejection of claim 6 is incorporated. WindowsXP Guide also discloses *the means for exposing the first set of functions comprises:*

means for exposing one or more functions that encapsulate a storage user experience; means for exposing one or more functions that allow an item to be displayed in an application-defined manner (e.g., page 12; page 19);

means for exposing one or more functions that allow items to be added to a sidebar of the desktop; means for exposing one or more functions that allow items to be added to a list (e.g., page 12; page 21-22); and means for exposing one or more functions that allow preview images of items to be displayed (e.g., page 29).

Claim 10:

The rejection of claim 6 is incorporated. WindowsXP Guide also discloses *the means for exposing the second set of functions comprises:*

means for exposing one or more functions that allow files and folders to be opened and saved (e.g., pp. 9-10);

means for exposing one or more functions that allow optical discs to be written to (e.g., page 35); and

means for exposing one or more functions that allow images to be sent by electronic mail to be re-sized (e.g., page 29-31).

Claim 11:

The rejection of claim 6 is incorporated. WindowsXP Guide also discloses *the means for exposing the third set of functions comprises means for exposing one or*

more functions that allow a sidebar to be displayed on the desktop (pp. 9-10); and means for exposing one or more functions that allow application-defined notifications to be displayed on the desktop (e.g., pages 12 and 19).

Claim 31:

The rejection of claim 30 is incorporated. Cadiz further discloses *the functions to extend functionality of the desktop include: one or more functions to allow a sidebar to be displayed on the desktop (e.g., page 4, Figure 1, and related text in pp. 4-5); and one or more functions to allow application-defined notifications to be displayed on the desktop (e.g., pp. 5-6).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Claim 36:

WindowsXP Guide discloses a *method implemented by way of one or more computers, comprising:*

receiving one or more calls to one or more first functions to use controls of a user interface (e.g., pp. 9-13); and

receiving one or more calls to one or more second functions to extend functionality of a desktop of the user interface (e.g., pp. 11-12 and 14), wherein

the first functions to use controls of the user interface include one or more functions that allow items to be added a bar of the desktop (pp. 9-10), and

wherein the second functions to extend functionality of a user interface include one or more functions to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14 and 9-10).

WindowsXP Guide does not explicitly disclose *one or more functions that allow items to be added to a sidebar of the desktop.*

However, Cadiz further discloses *one or more functions that allow items to be added to a sidebar of the desktop* (e.g., page 4, Figure 1, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Claim 37:

The rejection of claim 36 is incorporated. WindowsXP Guide also discloses *receiving one or more calls to one or more third functions to extend functionality of the user interface* (e.g., pp. 11-12 and 14).

Claim 38:

The rejection of claim 37 is incorporated. WindowsXP Guide also discloses *the functions to extend functionality of the user interface include: one or more functions to allow additions to context menus* (e.g., pp. 11-12); *and functions to allow identification of application-defined one or more thumbnails* (e.g., page 12).

Claim 39:

The rejection of claim 36 is incorporated. WindowsXP Guide also discloses *receiving one or more calls to one or more third functions to use dialogs and wizards of the user interface* (e.g., page 19 and 21-22).

Claim 40:

The rejection of claim 39 is incorporated. WindowsXP Guide also discloses *the functions to use dialogs and wizards of the user interface include:*

one or more functions to use a dialog to allow files and folders to be opened and saved (e.g., pp. 9-10, page 14);

one or more functions to use a wizard to allow optical discs to be written to (e.g., page 35); and

one or more functions to use another wizard to facilitate sending images by electronic mail (e.g., page 42).

Claim 41:

The rejection of claim 36 is incorporated. WindowsXP Guide also discloses *the functions to use controls of the user interface include:*

one or more functions that encapsulate a storage user experience (e.g., page 14, page 64);

one or more functions that allow an item to be displayed in an application-defined manner (e.g., page 19 and 12);

one or more functions that allow items to be added to a list (e.g. pp. 11-12); and

one or more functions that allow preview images of items to be displayed (e.g., page 29).

Claim 42:

The rejection of claim 36 is incorporated. WindowsXP Guide also discloses *the functions to extend functionality of the desktop include* one or more functions to allow a sidebar to be displayed on the desktop (e.g., pp. 9-10); and *one or more functions to allow application-defined notifications to be displayed on the desktop (e.g., page 19).*

15. Claims 1 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over WindowsXP Guide in view of Cadiz, and further in view of US Patent No. 5,689,700 to Miller et al. (art made of record, hereinafter "Miller").

Claim 1:

WindowsXP Guide discloses a programming interface embodied on one or more computer-readable storage media, comprising:

a first group of services related to re-usable user interface controls, the first group of services including a control that allows preview images of items to be displayed (e.g., page 29, section Pictures: the windows of life, which displays preview images);

a second group of services related to user interface dialogs and user interface wizards, the second group of services including a first dialog to allow files and folders to be opened and saved (e.g., pp. 9-10, section Enhanced File Management; page 64, section Sharing Files and Folders);

a third group of services related to extending the user interface functionality, the third group of services including functionality to allow identification of application-defined thumbnails (e.g., page 12, Start Menu with application-defined thumbnails); and

a fourth group of services related to extending functionality of a desktop of the user interface (e.g., page 13, setting Desktop Appearance and Themes; page 19, creating Desktop shortcuts; page 12, personalizing Desktop and Welcome screen),

wherein the first and second and third and fourth groups of services are defined of the programming interface (pp. 1-3, Windows XP Overview).

WindowsXP Guide does not explicitly disclose *the fourth group of services including functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *the fourth group of services including functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of

dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *groups of services are defined by respective namespaces*.

However, in an analogous art, Miller further discloses *groups of services are defined by respective namespaces* (e.g., col.1: 66 – col.2: 16; col.5: 63 – col.6: 24).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Miller's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so to store directory services entries in the namespace of the file system and provide the name service for the file system as suggested by Miller (e.g., col.2: 1-17).

Claim 22:

WindowsXP Guide discloses a *method implemented by way of one or more computers, comprising:*

functions that enable extending functionality of a user interface including functionality to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14, sorting/calculating/displaying Files and Folders names, types, and sizes; pp. 9-10 section Enhanced File Management; page 64, Sharing Files and Folders); and

functions that enable extending functionality of a desktop of the user interface including:

a first functionality to allow a bar to be displayed on the desktop (e.g., page 9, section Taskbar); and

a second functionality to allow application-defined notifications to be displayed on the desktop (e.g., page 19, creating Desktop shortcuts; page 13, setting Desktop Appearance and Themes).

WindowsXP Guide does not explicitly disclose *functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *namespaces associated with functions that enable functionalities.*

However, in an analogous art, Miller further discloses *namespaces associated with functions that enable functionalities* (e.g., col.1: 66 – col.2: 16; col.5: 63 – col.6: 24).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Miller's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so as set forth in claim 1 above.

16. Claims 1 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over WindowsXP Guide in view of Cadiz, and further in view of US Patent No. 5,903,753 to Bramnick et al. (art made of record, hereinafter "Bramnick").

Claim 1:

WindowsXP Guide discloses a *programming interface embodied on one or more computer-readable storage media, comprising:*

a first group of services related to re-usable user interface controls, the first group of services including a control that allows preview images of items to be

displayed (e.g., page 29, section Pictures: the windows of life, which displays preview images);

a second group of services related to user interface dialogs and user interface wizards, the second group of services including a first dialog to allow files and folders to be opened and saved (e.g., pp. 9-10, section Enhanced File Management; page 64, section Sharing Files and Folders);

a third group of services related to extending the user interface functionality, the third group of services including functionality to allow identification of application-defined thumbnails (e.g., page 12, Start Menu with application-defined thumbnails); and

a fourth group of services related to extending functionality of a desktop of the user interface (e.g., page 13, setting Desktop Appearance and Themes; page 19, creating Desktop shortcuts; page 12, personalizing Desktop and Welcome screen),

wherein the first and second and third and fourth groups of services are defined of the programming interface (pp. 1-3, Windows XP Overview).

WindowsXP Guide does not explicitly disclose *the fourth group of services including functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *the fourth group of services including functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *groups of services are defined by respective namespaces.*

However, in an analogous art, Bramnick further discloses *groups of services are defined by respective namespaces* (e.g., col.3: 4-26).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Bramnick's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so to provide namespace services in operating system software implementation and programs, via calls to a registry API, can request, add, modify and delete data in a namespace as suggested by Bramnick (e.g., col.3: 4-21).

Claim 22:

WindowsXP Guide discloses a *method implemented by way of one or more computers, comprising:*

functions that enable extending functionality of a user interface including functionality to allow calculations to be performed when displaying information regarding one or more files or folders (e.g., page 14, sorting/calculating/displaying Files and Folders names, types, and sizes; pp. 9-10 section Enhanced File Management; page 64, Sharing Files and Folders); and

functions that enable extending functionality of a desktop of the user interface including:

a first functionality to allow a bar to be displayed on the desktop (e.g., page 9, section Taskbar); and

a second functionality to allow application-defined notifications to be displayed on the desktop (e.g., page 19, creating Desktop shortcuts; page 13, setting Desktop Appearance and Themes).

WindowsXP Guide does not explicitly disclose *functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *namespaces associated with functions that enable functionalities*.

However, in an analogous art, Bramnick further discloses *namespaces associated with functions that enable functionalities* (e.g., col.3: 4-26).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Bramnick's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so as set forth in claim 1 above.

17. Claims 12-14, 16-17, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over WindowsXP Guide in view of Cadiz, Nolan, and further in view of US Patent No. 5,842,214 to Whitney et al. (art made of record, hereinafter "Whitney").

Claim 12:

WindowsXP Guide discloses a *method implemented by way of one or more computers of organizing a set of types for a user interface into a hierarchical namespace comprising:*

one of the groups in the plurality includes functionality related to re-useable user interface controls (e.g., page 29, pp. 9-10), and

wherein another of the groups in the plurality includes functionality related to re-useable user interface dialogs and re-useable user interface wizards (e.g., pp. 21-22), and

wherein yet another of the groups of the plurality includes functionality to allow application identification of thumbnails (e.g., page 12).

WindowsXP Guide does not explicitly disclose *group of services including functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *group of services including functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *creating a plurality of groups from the set of types, each group containing at least one type that exposes logically related functionality, assigning a name to each group in the plurality.*

However, in an analogous art, Nolan further discloses *creating a plurality of groups from the set of types, each group containing at least one type that exposes logically related functionality, assigning a name to each group in the plurality* (e.g., col.6: 47 – col.7: 48).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Nolan's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so to organize each service namespace corresponding to a service group and containing associated hierarchical components for its service group as suggested by Nolan (e.g., col.6: 47- col.7: 19)

Neither WindowsXP Guide, Cadiz, nor Nolan explicitly discloses *selecting a top level identifier and prefixing the name of each group with the top level identifier so that the types in each group are referenced by a hierarchical name that includes the selected top level identifier prefixed to the name of the group containing the type.*

However, in an analogous art, Whitney further discloses *selecting a top level identifier and prefixing the name of each group with the top level identifier so that the types in each group are referenced by a hierarchical name that includes the selected top level identifier prefixed to the name of the group containing the type* (e.g., col.5: 38-61; col.6: 23-62; col.7: 60 – col.8: 37; FIG. 15, col.10: 62 – col.11: 38).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Whitney's teaching into WindowsXP Guide, Cadiz, and Nolan's teaching. One would have been motivated to do so to furnish name resolution services to the network operating system as suggested by Whitney (e.g., col.2: 13: 64).

Claims 13-14, 16-17, and 20-21:

The rejection of base claim 12 is incorporated. Claims 13-14, 16-17, and 20-21 are method versions, which recite the same limitations as those of claims 1-5, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claims, it also teaches all of the limitations of claims 13-14, 16-17, and 20-21.

18. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over WindowsXP Guide in view of Cadiz, Nolan, and further in view of US Patent No. 5,689,701 to Ault et al. (art made of record, hereinafter "Ault").

Claim 12:

WindowsXP Guide discloses a *method implemented by way of one or more computers of organizing a set of types for a user interface into a hierarchical namespace comprising:*

one of the groups in the plurality includes functionality related to re-useable user interface controls (e.g., page 29, pp. 9-10), and

wherein another of the groups in the plurality includes functionality related to re-useable user interface dialogs and re-useable user interface wizards (e.g., pp. 21-22), and

wherein yet another of the groups of the plurality includes functionality to allow application identification of thumbnails (e.g., page 12).

WindowsXP Guide does not explicitly disclose *group of services including functionality to allow a sidebar to be displayed on the desktop.*

However, in an analogous art, Cadiz further discloses *group of services including functionality to allow a sidebar to be displayed on the desktop* (e.g., page 4, Figure 1, the Sideshow sidebar resides on one edge of the user's desktop, and related text in pp. 4-5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Cadiz's teaching into WindowsXP Guide's teaching. One would have been motivated to do so to help users stay aware of large amounts of dynamic information without overloading or distracting them as suggested by Cadiz (e.g., page 4, left column, section 3. Sideshow).

Neither WindowsXP Guide nor Cadiz explicitly discloses *creating a plurality of groups from the set of types, each group containing at least one type that exposes logically related functionality, assigning a name to each group in the plurality.*

However, in an analogous art, Nolan further discloses *creating a plurality of groups from the set of types, each group containing at least one type that exposes logically related functionality, assigning a name to each group in the plurality* (e.g., col.6: 47 – col.7: 48).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Nolan's teaching into WindowsXP Guide and Cadiz's teaching. One would have been motivated to do so to organize each service namespace corresponding to a service group and containing associated hierarchical components for its service group as suggested by Nolan (e.g., col.6: 47- col.7: 19)

Neither WindowsXP Guide, Cadiz, nor Nolan explicitly discloses *selecting a top level identifier and prefixing the name of each group with the top level identifier so that*

the types in each group are referenced by a hierarchical name that includes the selected top level identifier prefixed to the name of the group containing the type.

However, in an analogous art, Ault further discloses *selecting a top level identifier and prefixing the name of each group with the top level identifier so that the types in each group are referenced by a hierarchical name that includes the selected top level identifier prefixed to the name of the group containing the type* (e.g., FIG. 11, col.13: 18 – col.16: 46).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Whitney's teaching into WindowsXP Guide, Cadiz, and Nolan's teaching. One would have been motivated to do so to facilitate an operating system user's ability to reference objects, provide compatibility between distributed file system DFS namespaces and operating system path-name syntax as suggested by Ault (e.g., col.7: 53 – col.8: 52).

Conclusion

19. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone is (571) 272 8570. The examiner can normally be

reached on the first Monday of the bi-week, and every Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Dao



TUAN DAM
SUPERVISORY PATENT EXAMINER